

10/622 075  
PTO/SB/06 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number

**CLAIMS AS FILED – PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT	(37 CFR 1.16(d))	

RATE	FEES
	\$ _____
X \$ _____	=
X \$ _____	=
+ \$ _____	=

RATE	FEES
	\$ _____
X \$ _____	=
X \$ _____	=
+ \$ _____	=

\* If the difference in column 1 is less than zero, enter "0" in column 2.

TOTAL

TOTAL

**CLAIMS AS AMENDED – PART II**

(Column 1)

(Column 2) (Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	"
Total (37 CFR 1.16(c))	113		113	=
Independent (37 CFR 1.16(b))	8	Minus	8	=

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))

TOTAL ADD'L FEE

TOTAL ADD'L FEE

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	"
Total (37 CFR 1.16(c))	110		113	=0
Independent (37 CFR 1.16(b))	13	Minus	3	=5

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))

TOTAL ADD'L FEE

TOTAL ADD'L FEE

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	"
Total (37 CFR 1.16(c))	*		**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

RATE	ADDI- TIONAL FEE
X \$ _____	=
X \$ _____	=
+ \$ _____	=

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))

TOTAL ADD'L FEE

TOTAL ADD'L FEE

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard A. SHUMACHER et al.

Group Art Unit: 1626

Serial No.: 10/622,833

Examiner: Rebecca L. Anderson

Filed: July 21, 2003

For: PHOSPHODIESTERASE 4 INHIBITORS, INCLUDING N-SUBSTITUTED ANILINE AND DIPHENYLAMINE ANALOGS

**REPLY**

**MAIL STOP - AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of December 20, 2005, and the Notice of Non-Compliant Amendment of April 27, 2006 entry of the following amendments is respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 156 of this paper.

01 EC:1201 1000.00 DA

**MEMORY-28**

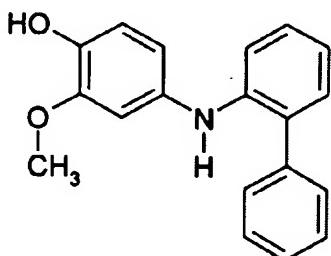
05/11/2006 FMERCR 00000003 133402 10622833

United States Patent and Trademark Office  
- Sales Receipt -

**Rejection under 35 USC 102(b) in view of Kondo et al. (US 4,542,373)**

Claims 1, 3, 4, and 6 are rejected as allegedly being anticipated in view of the article by Kondo et al. (US 4,542,373). This rejection is respectfully traversed.

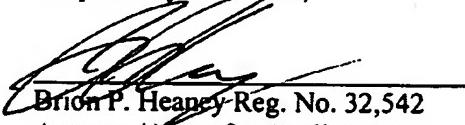
In the rejection, reference is made to the 4-(o-biphenyl)aminophenol compound of Example 80, wherein, as shown in Table 6, X is methoxy, Y is H, and R<sub>5</sub> is H. This compound has the following formula:



This compound does not anticipate applicants' claim 3, 4, or 6. Compare the proviso clause in applicants' claims 3, 4, and 6. The rejection of claim 1 is rendered moot by the cancellation of the claim. In view of the above remarks, withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Date: May 4, 2006